

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

CASE NO. CR06-418-RSM

Plaintiff,

SUMMARY REPORT OF U.S.  
MAGISTRATE JUDGE  
AS TO ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE

v.

BRIAN ELLIS NEAL,

Defendant.

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on December 13, 2007. The United States was represented by Norman Barbosa. The defendant was represented by Carol Koller.

CONVICTION AND SENTENCE

Defendant had been convicted of Possession with Intent to Distribute a Controlled Substance on or about February 6, 2006. The Honorable Ricardo S. Martinez of this court sentenced Defendant to 18 months of confinement, followed by 2 years of supervised release. The original sentence had been revoked on December 1, 2006, and again on August 28, 2007. The conditions of supervised release included requirements that defendant comply with the standard 13 conditions.

SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS  
TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE  
PAGE -1-

DEFENDANT'S ADMISSION

U.S. Probation Officer Michael Larson alleged in a petition for warrant that the defendant violated the conditions of supervised release in the following respects:

- (1) Failing to report to the probation office in the district in which he was released within 72 hours of his release from custody on November 9, 2007, in violation of the mandatory condition of supervised release.
- (2) Failing to reside in a satisfactorily participate in a Residential Reentry Center (RRC) program by failing to report to the program following his release from custody on November 9, 2007, in violation of the special condition of supervised release.

I advised the defendant of these charges and of his constitutional rights. Defendant admitted violations 1 and 2, waived any hearing as to whether they occurred, and consented to having the matter set for a disposition hearing.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that Defendant has violated the conditions of his supervised release as alleged and set the matter for a disposition hearing.

Defendant has been detained pending a final determination by the Court.

DATED this 3<sup>rd</sup> day of December, 2007.



MONICA J. BENTON  
United States Magistrate Judge

cc:	Sentencing Judge	:	Hon. Ricardo S. Martinez
	Assistant U.S. Attorney	:	Norman Barbosa
	Defense Attorney	:	Carol Koller
	U. S. Probation Officer	:	Michael Larson